

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 1360

(SENATE AUTHORS: CARLSON)

DATE
02/08/2023

D-PG

Introduction and first reading
Referred to Transportation

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to transportation; requiring vehicles to slow down or move over for a
1.3 stopped vehicle with its emergency, flashing, or warning lights activated;
1.4 appropriating money; amending Minnesota Statutes 2022, section 169.18,
1.5 subdivision 11.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2022, section 169.18, subdivision 11, is amended to read:

1.8 Subd. 11. **Passing parked authorized vehicle; citation; probable cause.** ~~(a) For~~
1.9 ~~purposes of this subdivision, "authorized vehicle" means an authorized emergency vehicle,~~
1.10 ~~as defined under section 169.011, subdivision 3; a tow truck or towing vehicle, as defined~~
1.11 ~~under section 168B.011, subdivision 12a; a freeway service patrol vehicle; a road~~
1.12 ~~maintenance vehicle; a utility company vehicle; a construction vehicle; a solid waste vehicle;~~
1.13 ~~or a recycling vehicle.~~

1.14 ~~(b)~~ (a) When approaching and before passing ~~an authorized~~ a vehicle with its emergency,
1.15 flashing, or warning lights activated that is parked or otherwise stopped on or next to a street
1.16 or highway having two lanes in the same direction, the driver of a vehicle shall safely move
1.17 the vehicle to the lane farthest away from the authorized vehicle, if it is possible to do so.

1.18 ~~(e)~~ (b) When approaching and before passing ~~an authorized~~ a vehicle with its emergency,
1.19 flashing, or warning lights activated that is parked or otherwise stopped on or next to a street
1.20 or highway having more than two lanes in the same direction, the driver of a vehicle shall
1.21 safely move the vehicle so as to leave a full lane vacant between the driver and any lane in
1.22 which the ~~authorized~~ parked or stopped vehicle is completely or partially parked or otherwise
1.23 stopped, if it is possible to do so.

2.1 ~~(d)~~ (c) If a lane change under paragraph ~~(b)~~ or ~~(e)~~ (a) or (b) is impossible, or when
 2.2 approaching and before passing ~~an authorized~~ a vehicle with its emergency, flashing, or
 2.3 warning lights activated that is parked or otherwise stopped on or next to a street or highway
 2.4 having only one lane in the same direction, the driver of a vehicle must reduce the speed of
 2.5 the motor vehicle to a speed that is reasonable and prudent under the conditions until the
 2.6 motor vehicle has completely passed the parked or stopped ~~authorized~~ vehicle, if it is possible
 2.7 to do so.

2.8 ~~(e)~~ (d) A peace officer may issue a citation to the driver of a motor vehicle if the peace
 2.9 officer has probable cause to believe that the driver has operated the vehicle in violation of
 2.10 this subdivision within the four-hour period following the termination of the incident or a
 2.11 receipt of a report under paragraph ~~(f)~~ (e). The citation may be issued even though the
 2.12 violation was not committed in the presence of the peace officer.

2.13 ~~(f)~~ (e) Although probable cause may be otherwise satisfied by other evidentiary elements
 2.14 or factors, probable cause is sufficient for purposes of this subdivision when the person
 2.15 cited is operating the vehicle described by a member of the crew of an authorized emergency
 2.16 vehicle or a towing vehicle as defined in section 168B.011, subdivision 12a, responding to
 2.17 an incident in a timely report of the violation of this subdivision, which includes a description
 2.18 of the vehicle used to commit the offense and the vehicle's license plate number. For the
 2.19 purposes of issuance of a citation under paragraph ~~(e)~~ (d), "timely" means that the report
 2.20 must be made within a four-hour period following the termination of the incident.

2.21 Sec. 2. APPROPRIATION.

2.22 \$..... in fiscal year 2024 and \$..... in fiscal year 2025 are appropriated from the general
 2.23 fund to the commissioner of public safety for a public awareness campaign to promote
 2.24 understanding and compliance with Minnesota Statutes, section 169.18, subdivision 11.